

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

STEPHEN ELLSWORTH, as an individual
and as a Representative of the classes and on
behalf of the general public,

No. C 12-02506 LB

Plaintiff,

v.

U.S. BANK, N.A., and AMERICAN
SECURITY INSURANCE COMPANY,

AMENDED ORDER GRANTING IN
PART AND DENYING IN PART
PLAINTIFF'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL

[ECF No. 149]

Defendants.

On November 14, 2013, Plaintiff Stephen Ellsworth filed an administrative motion to file under seal a number of exhibits he cites in support of his motion for class certification. *See* Admin. Mot., ECF No. 149.¹ In an accompanying declaration, Ellsworth explains that he moves to portions of his reply brief and an accompanying expert report because Defendants designated the information as “confidential” under the parties’ protective order. *See id.* U.S. Bank and ASIC filed declarations supporting Ellsworth’s administrative motion on November 18, 2013. *See* Tahdooahnippah Decl., ECF No. 150 (U.S. Bank); Kortz Decl., ECF No. 153 (ASIC). U.S. Bank and ASIC contend that the court should seal the excerpts at issue because they provide details of contracts between ASIC and

¹ Citations are to the Electronic Case File (“ECF”) with pin cites to the electronically-generated page numbers at the top of the document.

U.S. Bank. The court reviewed the parties' submissions and GRANTS IN PART and DENIES IN PART Ellsworth's administrative motion to file under seal, as indicated in the following table.

Document	Pin Cite	Ruling
Plaintiff's Reply Memorandum	15:25-26	Grant
Birny Birnbaum Decl. Ex. 1	4:9-12	Grant
	4:13-14 (up to the word "does")	Grant
	4:14-15 (ending at the period)	Deny - This statement does not reveal specific contract terms.
	4:15-16 (from the beginning of the sentence)	Grant
	4:21-25	Grant
	4: n.3 and n.4	Grant
	5:9-12, n.6	Deny - Revealing these details will not cause competitive harm.
	10:12, 14	Grant
	17:16-19	Grant
	17:21-22	Grant
	30:15-17	Grant
	30:18-20 (ending with the period)	Deny - Revealing these details will not cause competitive harm.
	30:20-21 (from the beginning of the sentence)	Grant
	30:26-29, n.35, n.36	Grant
	Pages 31-32	Deny - Revealing these details will not cause competitive harm.
	38:21, 22-23	Grant

CONCLUSION

As specified above, the court GRANTS IN PART and DENIES IN PART Ellsworth's administrative motion to file under seal. The parties shall respond as provided in Civil Local Rule 79.

This disposes of ECF No. 149.

IT IS SO ORDERED.

Dated: November 22, 2013



LAUREL BEELER
United States Magistrate Judge